



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

January 17, 2007

Mr. Roy Spears, Document Manager
U.S. Department of Energy
National Energy Technology Laboratory
3610 Collins Ferry Road
P.O. Box 880
Morgantown, WV 26507-4403

**RE: Draft Environmental Impact Statement (DEIS) for the Western Greenbrier Co-
Production Demonstration Project (CEQ No 20060494)**

Dear Mr. Spears:

In accordance with the National Policy Act (NEPA) and Section 309 of the Clean Air Act, the Environmental Protection Agency (EPA) has reviewed the draft Environmental Impact Statement (DEIS) for the above referenced project. The DEIS was prepared to meet the requirements of NEPA and assesses the potential environmental impacts that would result from a proposed Department of Energy (DOE) action. The proposed project would include the construction and demonstration of a 98 megawatt power plant and ash byproduct facility to be located in the municipality of Rainelle, West Virginia.

The EPA has rated this alternative as Environmental Concerns and Insufficient Information (EC-2). A description of our rating system can be found at: <http://www.epa.gov/compliance/nepa/comments/ratings.html>. EPA has concerns over the proposed demand on the water resource as well as the limited descriptions into coal refuse pile restoration and ash management. EPA has detailed these concerns and others in the attached comments. Thank you for the opportunity to comment on this DEIS. Please contact Kevin Magerr at (215) 814-5724 if you have any questions regarding our comments.

Sincerely,

A handwritten signature in black ink, which appears to read "William Arguto", is positioned above the printed name.

William Arguto
NEPA Team Leader

Attachments:

EPA Comments
DEIS Western Greenbrier Co-Production Demonstration Project
(CEQ No 20060494)

1. The Draft Environmental Impact Statement (DEIS) includes an extensive analysis of the potential supplemental water demand of the Meadow River. However, it is unclear whether the river level of 60% of the seasonally adjusted average base flow would be protective considering the potential low flow impacts from industrial and municipal dischargers to the Meadow River.
2. It appears that all the potential refuse coal supply sites (Anjean, Donegan, Green Valley, and Joe Knob) have already been reclaimed and revegetated. Further, it appears that portions of each of the sites are being treated for acid mine drainage (AMD). The proposed action would result in the removal of all existing vegetation in order to access the refuse coal piles underneath. The DEIS should contain details of this operation including: the total area of each site, the potential amount of refuse coal, the size of the disturbance at any given time, the type of interim control measures for erosion and controls as well as AMD. The DEIS should also quantify all jurisdictional wetlands and streams impacts and include a compensatory mitigation plan.
3. The Western Greenbrier Co-Generation, LLC (WGC) proposes to use alkaline ash generated by the power plant as a means of AMD neutralization at the refuse coal sites. The DEIS should include studies documenting the success of this application. The DEIS should also include the potential amount ash (Fly and Bottom) generated at the power plant, its chemical make up and the environmental consequences of the ultimate disposal or application.
4. References are made on a number of assessments within the DEIS (Traffic, Air Quality, Noise) identifying specific locations in the Rainelle area. It would be helpful in reviewing these assessments if the DEIS included a more detailed map of the Rainelle area identifying streets and sensitive receptors like schools, daycare, senior centers and hospitals.
5. As an air quality mitigation measure, it is suggested that diesel vehicles used in the construction and operation of the power plant and the related operations use ultra low sulfur fuels and to investigate appropriate anti-idling control measures.
6. The DEIS should be more definitive on the noise abatement measures proposed to be implemented.
7. It is unclear what was considered in the Particulate Matter analysis (page 4.14-14). The analysis should consider all potential sources including stack emissions from the power plant, emissions from haul trucks, fugitive emissions and emission from the rotary kiln.
8. It is unclear what chemicals/pollutant was evaluated in the Chemicals of Potential Concern section (page 4.14-13-14)
9. Under the Transmission Line Corridor preferred option, WGC is proposing the construction of a new 18-mile transmission line corridor from the power plant to Grassy Fall Substation. The DEIS should evaluate the impacts of the construction and operation of this transmission line. This evaluation should include the temporary and permanent quantitative impacts to wetland and streams and the compensatory mitigation.

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10. The DEIS indicated that refuse coal would be the primary fuel supply. The DEIS should include a discussion on what situations where other fuel sources would be used.
11. The DEIS should determine the Prep plant spoils potential volume and chemical makeup. The DEIS should also include disposal plan appropriate for the chemical makeup of the waste.
12. The ash generated by the power plant operations should be evaluated for toxicity in its raw state and for toxicity leaching in its wood brick product form.
13. Due to the increase truck traffic related to construction and plant operations, certain roads and bridges may experience a decrease in the level of service and may increase the rates of damage to roadways and increase traffic hazards. It is unclear whether WGC has had discussions with West Virginia Department of Transportation to minimize these impacts.
14. It appears that water use for the power plant as well as use for any ancillary commercial and industrial tenants of the eco-park could have significant adverse impact on existing water demand. The DEIS should clearly define the water budget limitations on the co-generation project, the eco-park and any future anticipated demand.
15. The DEIS should include the potential temporary and permanent impacts to wetlands and streams due to the construction of the water supply pipeline to the power plant.
16. The preferred alternative for supplemental water supply would be a permanent intake structure on Meadow River and a tertiary ground water source. The DEIS should include the potential wetland and stream impacts and mitigation measures for these structures.
17. The ash byproduct manufacturing facility is privately financed and independent of the Co-Production Facility. It appears the success of the kiln operation of the Co-Production Facility would be dependent on the ash byproduct manufacturing facility being built. The DEIS should investigate other uses of the ash byproduct in order to improve kiln operation success.
18. The DEIS identifies Anjean, Green Valley, Donegan and Joe Knob as the initial fuel sources over a 20-year operating period. The DEIS should investigate other fuel sources that go beyond 20 years.
19. The environmental consequences of prep plants should detail impacts on sensitive receptors including homes and businesses.
20. The DEIS should include further detail into the land exchange and mitigation measures for the proposed transmission corridor.
21. The Anjean mining facilities are not identified on Figure 3.4-5.

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22. On page 3.7-5 of the DEIS reference was made to jurisdictional wetlands in the project area. It is unclear whether the US Army Corp of Engineers made the jurisdictional wetland determination.
23. The temporary wetland impacts associated with the second temporary bridge (page 4.7-6) should be specified.
24. The construction of the Cooling Water Intake Structure should take into consideration any time of year restriction that may be imposed to protect wildlife. Also revegetative practices should be restrictive to non-invasive vegetation.
25. The WGC intends to use the 60% threshold as the basis for determining Meadow River availability for water use. The DEIS should include the basis of this threshold.